

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON

DAVID SARRUF,

Plaintiff,

v.

LILLY LONG TERM DISABILITY PLAN &  
LILLY LIFE INSURANCE PLAN,

Defendants.

Case No. 2:24-cv-00461-JCC

**SECOND STIPULATED MOTION  
FOR EXTENSION OF TIME TO  
FILE FEE PETITION**

**I. Relief Requested.**

Plaintiff David Sarruf (“Plaintiff”) and Defendants The Eli Lilly and Company Long Term Disability Plan (the “LTD Plan”)<sup>1</sup> and The Eli Lilly and Company Life Insurance and Death Benefit Plan (the “Life Insurance Plan”)<sup>2</sup> (together, “Defendants”) (Plaintiff and Defendants together, the “Parties”), by and through their attorneys, hereby respectfully move the Court for an order extending the deadline for Plaintiff to file his fee petition.

On July 3, 2025, the Court granted in part and denied in part the Parties’ motions for summary judgment, remanded Plaintiff’s benefits claim to the Plan administrator, and directed

<sup>1</sup> The LTD Plan is incorrectly named in the Complaint as the Lilly Long Term Disability Plan.

<sup>2</sup> The Life Insurance Plan is incorrectly named in the Complaint as the Lilly Life Insurance Plan.

1 Plaintiff to provide the Court with an accounting of his attorneys' fees within 30 days. *See* Order  
2 (Dkt. 60).

3 On July 28, 2025, the Court granted the Parties' Stipulated Motion for Extension of Time  
4 to File Fee Petition and extended the deadline for Plaintiff to file his accounting of attorneys'  
5 fees so that (i) the Parties could discuss the potential resolution of this case in its entirety,  
6 including any attorneys' fees incurred by Plaintiff during the course of this litigation, and (ii) to  
7 allow sufficient time for the remand process.  
8

9 The Parties need additional time to continue settlement discussions and conduct the  
10 remand process. As a result, the Parties have further agreed to extend the time period for  
11 Defendants to consider Plaintiff's claim on remand and issue a decision on such remand until  
12 October 20, 2025. The Parties respectfully request that the Court extend the deadline for  
13 Plaintiff to file his fee petition until one week later, or until October 27, 2025.  
14

#### 15 **IV. Conclusion.**

16 For the foregoing reasons, the Parties jointly ask the Court to grant this stipulated motion  
17 for an extension of time for Plaintiff to file his fee petition until October 27, 2025.  
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19 Date: August 29, 2025  
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1 Respectfully submitted,

2 DAVID SARRUF

3 By: /s/ Glenn R. Kantor, w/ permission

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19 *Attorneys for Plaintiff*

THE ELI LILLY AND COMPANY LONG  
TERM DISABILITY PLAN AND THE ELI  
LILLY AND COMPANY LIFE INSURANCE  
AND DEATH BENEFIT PLAN

By: /s/ Douglas F. Stewart

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*Attorneys for Defendants*

**[PROPOSED] ORDER**

THIS MATTER having come before the Court upon the Parties' SECOND STIPULATED MOTION FOR EXTENSION OF TIME TO FILE FEE PETITION **Dkt No 64**, and the Court having considered the motion and all relevant materials, and finding good cause shown, hereby ORDERS:

1. The Parties' Second Stipulated Motion for Extension of Time to File Fee Petition is GRANTED.

2. Plaintiff's deadline for filing an accounting of his attorneys' fees is extended until October 27, 2025.

**IT IS SO ORDERED** this 29th day of August 2025.



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THE HONORABLE JOHN C. COUGHENOUR  
UNITED STATES DISTRICT COURT JUDGE

**CERTIFICATE OF SERVICE**

I hereby certify that on the 29<sup>th</sup> day of August, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record who receive CM/ECF notifications.

Dated: August 29, 2025

By: /s/ Douglas F. Stewart  
Douglas F. Stewart, WSBA No. 34068